

REMARKS

In the First Office Action, the Examiner objected to the signature on the transmittal letter. The Examiner objected to the drawings/specification for inconsistencies. The Examiner rejected claims 1-3, 9, 12, 16-17, 20, 23, and 25 under 35 U.S.C. §102(b) as anticipated by Ganz et al. (DE 38 17 246 A1). The Examiner rejected claim 22 under 35 U.S.C. §103 as unpatentable over Ganz in view of Schray et al. (US 5,845,495). The Examiner objection to claims 4-8, 10-11, 13-15, 18, 19, 21, and 24 indicating these claims would be allowable if appropriately rewritten in independent form.

Reconsideration and re-examination of the application as amended considering the following remarks is respectfully requested.

Objection to Signature

The Examiner objected to the signature on the transmittal letter for this application, which was filed electronically using the approved ePave software, as not being placed between forward slashes as required in 37 CFR 1.4(d)(2).

Applicants respectfully traverse the Examiner's objection. This application was filed on July 28, 2004 almost two months before the requirement of placing electronic signatures between forward slashes took effect on September 21, 2004. As such, the electronic signature is believed to be proper and the Examiner is requested to withdraw the objection.

Objections to Drawings/Specification

The Examiner objected to the drawings as not containing reference numeral 128 and to the drawings/specification as not describing elements 140, 148 in Figure 5.

Applicants have amended the specification consistent with the drawings so that all references in the specification are shown in the drawings, and all references in the drawings are described in the specification to obviate the Examiners' objections.

Claim Rejections Under 35 USC §§102, 103

The Examiner rejected claims 1-3, 9, 12, 16-17, 20, 23, and 25 under 35 U.S.C. §102(b) as anticipated by Ganz et al. (DE 38 17 246 A1). The Examiner rejected claim 22 under 35 U.S.C. §103 as unpatentable over Ganz in view of Schray et al. (US 5,845,495). Applicants respectfully disagree and traverse the rejection for the reasons below. However, Applicants have amended a number of claims to more particularly point out the invention and respectfully submit that all claims are allowable over the prior art relied upon by the Examiner.

The Examiner relies on the Figure and English Abstracts of Ganz as anticipating Applicants' invention as claimed in the claims identified above. However, based on Applicants' understanding of Ganz, the turbochargers are operated in a manner similar to the sequential parallel VGT's described in Applicants' disclosure Paragraph [0005] where one turbocharger is

idled at lower mass airflows and becomes active at higher mass airflows. As described in the English abstract of Ganz, "While the engine is running, one charger can be cut in to supplement the other." There is no disclosure in the abstracts of the operation or function of valve 29, which the Examiner relies upon as showing sequential compressor operation. Similarly, there is no disclosure in the Ganz abstracts relied upon by the Examiner of operating both turbochargers 8, 9 in a parallel configuration as disclosed and claimed by Applicants. As such, Applicants respectfully submit that the invention as claimed in the originally filed claims 1-25 is patentable over Ganz and reserve the right to pursue these claims in another application.

Applicants have amended the claims of this application to more particularly point out the invention and to advance the prosecution of this case. Applicants believe the claims as originally filed, and now as amended, are patentable over the abstracts of the Ganz patent relied upon by the Examiner.

Summary

Applicants have made a genuine effort to respond to the Examiner's objections and rejections to advance prosecution of this application. Applicants respectfully submit that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested.

An additional fee of \$800.00 is believed to be due for presentation of additional independent claims. Please charge this fee and any other cost incurred in the filing of this Amendment, along with any other costs, to Deposit Account 06-1510 (Ford Global Technologies, LLC). If there are insufficient funds in this account, please charge the fees to Deposit Account No.06-1505.

Respectfully submitted:



David S. Bir, Reg. No. 88,888
Attorney of Record

November 28, 2005

Bir Law, PLC
45094 Middlebury Ct.
Canton, MI 48188

Telephone: 734-981-5646
Customer No. 48,535